

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON TALCUM
POWER PRODUCTS MARKETING, SALES
PRACTICES, AND PRODUCTS LIABILITY
LITIGATION

No. 3:16-md-02738-MAS-RLS

**DECLARATION OF MATTHEW L. BUSH IN SUPPORT OF
DEFENDANTS JOHNSON & JOHNSON AND LLT
MANAGEMENT, LLC'S OBJECTIONS TO SPECIAL MASTER
ORDER NO. 25 (ADDRESSING THREE MOTIONS TO
QUASH AND/OR FOR PROTECTIVE ORDER) (ECF NO. 32926)**

I, Matthew L. Bush, declare as follows:

I am an attorney of the state of New York and a partner with the law firm King & Spalding LLP, counsel for Defendants Johnson & Johnson and LTL Management LLC (hereafter, “Defendants”) in the above-captioned matter. The facts stated in this Declaration are true of my own personal knowledge. I submit this Declaration in support of Defendants’ Response in Opposition to Plaintiff Steering Committee’s, Beasley Allen’s, and Smith Law Firm’s Motions to Quash and/or for Protective Order.

1. Attached hereto as **Exhibit 1** is a true and correct copy of a discussion draft of the Litigation Transparency Act of 2024, 118th Congress (2024).

2. Attached hereto as **Exhibit 2** is a true and correct copy of a July 12, 2024 Letter from Representative James Comer to Chief Justice John Roberts.

3. Attached hereto as **Exhibit 3** is a true and correct copy of a July 11, 2024 Letter from Senators John Cornyn and Thom Tillis to H. Thomas Byron III.

4. Attached hereto as **Exhibit 4** is a true and correct copy of the April 17, 2023 Deposition of Mr. Andy Birchfield, Esq. in *In re LTL Management LLC*, No. 23-12825 (Bankr. D.N.J. Apr. 17, 2023).

5. Attached hereto as **Exhibit 5** is a true and correct copy of the pleading Informational Brief of LTL Management LLC (ECF No. 3), *In re LTL Management LLC*, No. 21-30589 (Bankr. W.D.N.C. Oct. 14, 2021).

6. Attached hereto as **Exhibit 6** is a true and correct copy of the pleading Debtor's Statement Regarding Refiling of Chapter 11 Case, *In re LTL Management LLC*, No. 23-12825 (Bankr. D.N.J. Apr. 4, 2023).

7. Attached hereto as **Exhibit 7** is a true and correct copy of a May 1, 2024 Press Release issued by Johnson & Johnson.

8. Attached hereto as **Exhibit 8** is a true and correct copy of a May 14–15, 2024 email chain among a talc-ovarian cancer claimant, Beasley Allen, Defendants' counsel, and a Reuters reporter.

9. Attached hereto as **Exhibit 9** is a true and correct copy of a May 15, 2024 email from a talc-ovarian cancer claimant to Jim Murdica, counsel for Defendants.

10. Attached hereto as **Exhibit 10** is a true and correct copy of the May 20, 2024 Declaration of David Meisels, the Managing Director and Head of Litigation for Fortress Investment Group LLC.

11. Attached hereto as **Exhibit 11** is a true and correct copy of the April 16, 2023 Deposition of Mr. James Murdica, Esq. in *In re LTL Management LLC*, No. 23-12825 (Bankr. D.N.J. Apr. 16, 2023).

12. Attached hereto as **Exhibit 12** is a true and correct copy of the report Judicial Panel on Multidistrict Litigation, *Statistical Analysis of Multidistrict Litigation: 1992*, at 4 (Oct. 1992).

13. Attached hereto as **Exhibit 13** is a true and correct copy of the report Judicial Panel on Multidistrict Litigation, *MDL Statistics Report – Distribution of Pending MDL Dockets by Actions Pending*, at 4 (June 3, 2024).

14. Attached hereto as **Exhibit 14** is a true and correct copy of Table C-1 (U.S. District Courts—Civil Cases Filed, Terminated, and Pending, by Jurisdiction—During the 12-Month Period Ending December 31, 2023) to the report U.S. District Courts—Civil Statistical Tables for the Federal Judiciary (Dec. 31, 2023).

15. Attached hereto as **Exhibit 15** is a true and correct copy of the report U.S. Government Accountability Office, *Third-Party Litigation Financing: Market Characteristics, Data, and Trends* (Dec. 2022).

16. Attached hereto as **Exhibit 16** is a true and correct copy of the publication Westfleet Advisors, *The Westfleet Insider: 2022 Litigation Finance Market Report* (2022).

17. Attached hereto as **Exhibit 17** is a true and correct copy of the press release issued by Levin Papantanio Rafferty and Beasley Allen.

18. Attached hereto as **Exhibit 18** is a true and correct copy of the pleading Plaintiffs' Motion for Temporary Restraining Order and Order to Show Cause Why a Preliminary Injunction Should Not Issue (ECF No. 6), *Love v. LLT Management LLC*, No. 3:24-cv-06320 (D.N.J. June 11, 2024).

19. Attached hereto as **Exhibit 19** is a true and correct copy of the memorandum Patrick A. Tighe, *Survey of Federal and State Disclosures Regarding Litigation Funding*, Advisory Committee on Civil Rules (Feb. 7, 2018).

20. Attached hereto as **Exhibit 20** is a true and correct copy of the publication Hailey Konnath, *Burford, Sysco Agree to Drop Litigation Funding Suits*, Law360 (June 28, 2023).

21. Attached hereto as **Exhibit 21** is a true and correct copy of Case Management Order No. 61 (Third-Party Litigation Funding) (ECF No. 3815), *In re 3M Combat Arms Earplug Prods. Liab. Litig.*, No. 3:19-md-02885 (N.D. Fla. Aug. 29, 2023).

* * *

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: July 21, 2024



MATTHEW L. BUSH